

REMARKS

Claims 23 - 24, 48 - 49 and 73 - 74 have been amended.

Claims 1 - 75 are present in the subject application.

In the Office Action dated September 24, 2003, the Examiner has allowed claims 1 - 22, 26 - 47 and 51 - 72 and has rejected claims 23 - 25, 48 - 50 and 73 - 75 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

The Examiner has rejected claims 23 - 25, 48 - 50 and 73 - 75 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,959,627 (Duwaer et al). Briefly, the Duwaer et al patent discloses a visual user-presentation of a compilation system for multiple visual and/or audio items. The items are each associated with various attributes that each express a category, a value or a label, and through selection among the items a compiled subset of items is produced. The presentation is multidimensional in parallel over the various attributes that each allow selection on a uniform level. Presentation of items that discord with the actual selection are suppressed so that each selection diminishes the multidimensionality of the presentation. A selection of effectivity controls are further displayed.

In contrast, the present invention is directed toward a web-based system for storing content objects in a data repository as a group of hierarchically related content entities. Each non-container content object is preferably stored as a separate entity in the data repository. As content objects are input into the system or as a user selects desired objects for inclusion in a content object, the system arranges the content objects hierarchically according to the order specified by the input content object or by the user. The system then creates a file object

defining the content object that contains a list or outline of the container and non-container entities selected, their identifiers, order and structure. This file object is stored separately in the data repository.

In order to assist in an understanding of the present invention, the present invention features may be illustrated by the following example with respect to generation of a content object in the form of a book. The book structure may include volumes each with one or more chapters, where each chapter, in turn, may include one or more sections. The content of the chapter sections resides in the data repository as individually accessible files each containing a section (or content entity). The present invention system basically represents the book in the form of a hierarchical outline of containers (e.g., representing volumes or chapters) and subordinate non-containers (e.g., sections). The non-containers are each associated with content entity identifiers indicating the files containing the content (or content entities) in the data repository to be included within the corresponding container and book. The hierarchical outline of containers and content entity identifiers is stored as a separate file object. A user interface enables a user to manipulate the outline to select and alter the book content. In other words, a user may construct the book with content (e.g., text, images, etc.) selected from the data repository. When the user adds, removes or moves book content, the corresponding content entity identifier is respectively added, removed or moved within the outline.

The Examiner takes the position with respect to the independent claims that the Duwaer et al patent discloses a select tracks tab used for creating a library in the database, where the user can select the items for storage, an input track information tab used to specify information for a selection and a compilation creation tab to create a compilation. The Examiner further alleges

that the Duwaer et al compilation corresponds to the claimed content object, while the tracks correspond to the claimed content file objects with the track names identifying the tracks as the claimed content entity identifiers, and that the Duwaer et al patent discloses several button controls to add and remove items from a compilation list and to store the resulting compilation, where the user is prompted to provide a compilation name. The Examiner takes the further position with respect to the independent claims that it would have been obvious to modify the Duwaer et al patent to include enabling modification for altering the content and arrangement of the content object to allow a user to add or remove tracks for creating a compilation.

This rejection is respectfully traversed since the Duwaer et al et al patent does not disclose, teach or suggest the features of inserting the content entity into the ordered list at the location of its content entity identifier as recited in independent claims 23, 24, 48, 49, 73 and 74. However, in order to expedite prosecution of the subject application, independent claims 23, 24, 48, 49, 73 and 74 have been amended to recite the features of the arrangement of the content entity identifiers within the list corresponding to a content object hierarchical structure including at least one hierarchical tier and at least one subordinate tier.

The Duwaer et al patent does not disclose, teach or suggest these features. In fact, the Examiner indicated in the reasons for allowance (with respect to allowed claims 1, 26 and 51) that the Duwaer et al patent fails to teach or suggest these features. Rather, the Duwaer et al patent discloses a compilation system with several tabs for system operation. A select tracks tab enables creation of a library of audio items in a database (See Column 2, lines 49 – 50). Fig. 2 of the Duwaer et al patent illustrates presentation of a compact disk to the system in order to copy user specified tracks into the library (See Column 2, lines 56 – 60). An input track information

tab enables information to be entered for those tracks selected to be included in the library (See Fig. 3 and Column 2, lines 64 – 67). One of the fields entered includes the track title (See Column 3, line 2).

A compilation creation tab enables selection of items for a compilation (See Figs. 4 – 5 and Column 4, lines 3 – 7). The compilation creation tab provides a display with several attributes and a compilation field of selected individual items with control buttons to add and remove items from the compilation and to save the compilation, where a user is prompted for a compilation name (See Column 4, lines 41 – 49). Thus, the compilation field of the Duwaer et al patent basically provides a list of individual items (See Fig. 4). There is no disclosure, teaching or suggestion of a hierarchical compilation list or, for that matter, a hierarchical structure including at least one hierarchical tier and at least one subordinate tier as recited in the claims.

Further, the compilation information is stored across several tables of a database, where each table includes indices or pointers into other tables to obtain additional track information (See Fig. 7 and Column 5, lines 23 – 62). There is no disclosure, teaching or suggestion of the particular order entries are stored in the database tables to indicate compilations or, for that matter, content entity identifiers arranged within a list to correspond to a content object hierarchical structure including at least one hierarchical tier and at least one subordinate tier as recited in the claims.

In addition, a separate compilation playback/recording screen is utilized to retrieve compilation items for direction to an output device (See Fig. 6 and Column 4, line 66 to Column 5, line 3). Thus, the compilation items are displayed in the compilation field of the compilation

Amendment

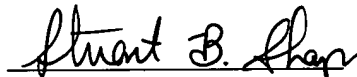
U.S. Patent Appln. No. 09/489,570

creation tab and retrieved from storage for transfer to an output device via the playback screen, as opposed to the compilation item being inserted into the compilation fields at the location of the track name as recited in the claims. Since the Duwaer et al patent does not disclose, teach or suggest the features recited in independent claims 23 – 24, 48 – 49 and 73 – 74 as discussed above, these claims are considered to be in condition for allowance.

Claims 25, 50 and 75 depend either directly or indirectly from independent claims 24, 49 or 74 and, therefore, include all the limitations of their parent claims. These claims are considered to be in condition for allowance for substantially the same reasons discussed above in relation to their parent claims and for further limitations recited in the claims.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and Notice of Allowance is earnestly solicited.

Respectfully submitted,



Stuart B. Shapiro

Reg. No. 40,169

EDELL, SHAPIRO & FINNAN, LLC

1901 Research Blvd., Suite 400

Rockville, Maryland 20850-3164

(301) 424-3640

Hand-delivered on: 10/28/2003